

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE
THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:	Nick Steele et al.
Serial No.:	09/933,567
Filed:	August 20, 2001
For:	BRANDING AND REVENUE SHARING FOR FACILITATING STORAGE, MANAGEMENT AND DISTRIBUTION OF CONSUMER INFORMATION
Examiner:	Greta L. Robinson
Group Art Unit:	2168
Appeal No.:	

TRANSMITTAL LETTER
For Amended Brief of Appellants

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Appellants submit this paper in response to the Notice of Non-Compliant Appeal Brief that was mailed May 7, 2008 (the “Notice”) in connection with the Appeal Brief filed by Appellants on May 1, 2008 (the “Appeal Brief”). Entry and consideration of the Amended Brief of Appellant (the “Amended Brief”), submitted herewith, is respectfully requested in view of the following remarks.

I. Item 4. of the Notice

The Appeal Brief has been objected to on the grounds that the “brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify...every means plus function and step plus function...and/or (2) set forth the structure...corresponding to each claimed function...”

The Notice further states that the Appeal brief has been objected to on the grounds that the summary of claimed subject matter does not “map all independent claims on appeal to specification by page and line number...” Appellants submit that in view of the amendments reflected in the Amended Brief filed herewith, the objection should be withdrawn.

CONCLUSION

In view of the remarks set forth herein, and further in view of the corresponding amendments to the Appeal Brief (as set forth in the Amended Brief of Appellant filed herewith), Appellants respectfully submit that the objections to the Appeal Brief have been overcome and should be withdrawn.

DATED this the 5th day of June, 2008.

Respectfully submitted,

/R. Burns Israelsen/ Reg. No. 42685

R. Burns Israelsen
Registration No. 42,685
Attorney for Appellants
Customer No. 022913
Telephone No. (801) 533-9800